

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

ADRIAN HERRERA-PERALTA,

Petitioner,

v.

WARDEN DAVID ORTIZ,

Respondent.

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Civ. No. 20-8958 (NLH)

MEMORANDUM ORDER

APPEARANCES:

Adrian Herrera-Peralta
69439-066
Fort Dix Federal Correctional Institution
P.O. Box 2000
Joint Base MDL, NJ 08640

Petitioner Pro se

Rachael A. Honig, Acting United States Attorney
Jane Dattilo, Assistant United States Attorney
United States Attorney's Office for the District of NJ
970 Broad Street
7th Floor
Newark, NJ 08101

Counsel for Respondent

HILLMAN, District Judge

WHEREAS, Petitioner Adrian Herrera-Peralta brings this
petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241
challenging his prison disciplinary sanctions, see ECF No. 1;
and

WHEREAS, the United States opposes the petition, ECF No. 9;
and

WHEREAS, the Disciplinary Hearing Officer indicated in his report that he relied on the photograph of the confiscated cell phone and the Secure Pass image in issuing sanctions, ECF No. 9-1 at 25; and

WHEREAS, the images submitted with the answer are little more than black squares; therefore it is not clear what those images depict, id. at 27-28; and

WHEREAS, the United States shall be ordered to supplement its answer with clearer images of the photographs used by the Disciplinary Hearing Officer during Petitioner's hearing. If no clearer images exist, the United States must file a statement to that effect,

Therefore, IT IS on this 23rd day of April, 2021,

ORDERED that within 14 days of this Order, the United States shall supplement their answer with clearer images of the photographs used by the Disciplinary Hearing Officer during Petitioner's hearing. If no clearer images exist, the United States must file a statement to that effect; and it is finally

ORDERED that the Clerk shall serve a copy of this Order on Petitioner by regular U.S. mail.

At Camden, New Jersey

s/ Noel L. Hillman
NOEL L. HILLMAN, U.S.D.J.